

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-7455

ROBERT L. NIXON,

Plaintiff - Appellant,

versus

RONALD ANGELONE, Director of the Virginia Department of Corrections; JAMES A. SMITH, JR., Regional Administrator; H. R. POWELL, Warden of Deerfield Correctional Center; PATRICIA COPELAND, Assistant Warden of Treatment & Programs, Deerfield Correctional Center; S. D. MAYES, Chief of Security, Deerfield Correctional Center; DENNIS BURGESS, Operations Officer, Deerfield Correctional Center; JOHN STEWART, Institutional Health & Safety Inspector, Deerfield Correctional Center,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Robert G. Doumar, District Judge. (CA-95-647-2)

Submitted: January 11, 1996

Decided: January 24, 1996

Before RUSSELL, HALL, and WILKINSON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Robert L. Nixon, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Appellant appeals from a district court order denying Appellant's motion for reconsideration of the court's order directing him to pay a partial filing fee. The district court has not dismissed the action. We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1988), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1988); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Industrial Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We deny leave to proceed in forma pauperis and dismiss the appeal as interlocutory. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED